

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CIVIL NO. 1:05CV207  
(1:03CR95)

DAVID A. KELLEY	)	
	)	
Petitioner,	)	
	)	
Vs.	)	<u>J U D G M E N T</u>
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	
_____	)	

For the reasons set forth in the Memorandum and Order filed herewith,

**IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED** that the  
Petitioner's motion pursuant to 28 U.S.C. § 2255 is **DENIED**, and this matter  
is hereby **DISMISSED WITH PREJUDICE** in its entirety.

Petitioner is hereby placed on notice that no future petition pursuant to  
28 U.S.C. § 2255 may be filed without permission of the United States Court  
of Appeals for the Fourth Circuit.

**Signed: December 9, 2005**

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

